

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ARCHIE LEMONT BUTLER,

Plaintiff,

v.

CORIZON HEALTH, INC., et al.,

Defendants.

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No. 4:16-CV-590 AGF

MEMORANDUM AND ORDER

This matter is before the Court on review of plaintiff's complaint under 28 U.S.C. § 1915(e). After reviewing the complaint, the Court finds that process should issue.

Standard of Review

Under 28 U.S.C. § 1915(e), the Court is required to dismiss a complaint filed in forma pauperis if it is frivolous, malicious, or fails to state a claim upon which relief can be granted. To state a claim for relief under § 1983, a complaint must plead more than "legal conclusions" and "[t]hreadbare recitals of the elements of a cause of action [that are] supported by mere conclusory statements." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). A plaintiff must demonstrate a plausible claim for relief, which is more than a "mere possibility of misconduct." *Id.* at 679. "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Id.* at 678. Determining whether a complaint states a plausible claim for relief [is] a context-specific task that requires the reviewing court to draw on its judicial experience and common sense. *Id.* at 679.

Discussion

Plaintiff brings this action against Corizon and Jeffery Carson, an official at the St. Louis City Justice Center (Justice Center). When plaintiff entered the Justice Center, he had tooth pain and took ibuprofen. After his arrival, he was given the drug intermittently, which caused him to have increased pain.

The Justice Center did not employ a dentist when he arrived. Plaintiff says that defendant Carson is responsible for providing health care to detainees, and so he is responsible for plaintiff's inability to receive dental care.

Later, either the Justice Center or Corizon hired a dentist. On April 12, 2016, the dentist saw plaintiff and told him that three of his teeth need to be extracted. The dentist also told plaintiff he could not extract his teeth because he did not have equipment or an assistant. At the time he filed the amended complaint, plaintiff had not received any dental care.


Plaintiff says that he cannot name the individual medical providers because neither Corizon nor the Justice Center will provide him with their names.

The Court finds that the case should not be dismissed at this time. Therefore, the Court will order the Clerk to issue process.

Accordingly,

IT IS HEREBY ORDERED that the Clerk is directed to issue process on the complaint.

Dated this 16th day of May, 2016.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE